

**Notice of Allowability**

Application No.

10/070,564

Examiner

Audrey Y. Chang

Applicant(s)

COSTES, VINCENT

Art Unit

2872



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on September 21, 2005.
2. ☒ The allowed claim(s) is/are 1, 4, 5, 6, 8, renumbered as 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

#### *Remark*

- This Office Action is in response to applicant's amendment filed on September 21, 2005, which has been entered into the file.
- By this amendment, the applicant has amended claims 1, 4, 5, 6, has canceled claims 2-3, 7 and has newly added claim 8.
- Claims 1, 4-6 and 8 remain pending in this application.

#### *Drawings*

1. The drawings were received on September 21, 2005. These drawings are acceptable.

#### *Examiner's Amendment*

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the claim, claim 1, line 27, delete "mittor" and replace "mirror".

3. The amendment is purely to correct the misspelled word as a typographic error and does not effect the scopes and limitations of the claims.

#### *Reasons For Allowance*

4. The following is an examiner's statement of reasons for allowance: of the prior art references considered none has disclosed an observation device for acquiring *two images* corresponding to a scene viewed from *two different aiming directions* wherein the observation device comprises a *primary mirror*,

Art Unit: 2872

a *secondary mirror* and a *plurality of tertiary reflection means*. The primary mirror is receiving light beams of an object to be observed along two respective angles of incidence  $\theta$  and  $-\theta$ , ( $\theta$  implicitly being non-zero angle in corresponding to the two different aiming directions) with respect to the optical axis of the primary mirror, *as set forth in the claim combinations* wherein the plurality of tertiary reflection means *comprises two plane mirrors and two corresponding concave mirrors* each disposed symmetrically at either side of the optical axis of the primary mirror, as set forth in the claim combination in amended claim 1. In a different embodiment, the plurality of tertiary reflection means comprises *two concave mirrors* disposed *symmetrically* with respect to the optical axis of the primary mirror and a *plane mirror* that is *centered* on the optical axis and extended *perpendicular* to the optical axis, as set forth in the claim combination of claim 4.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Contact Information***

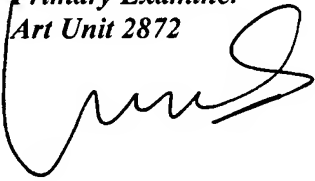
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Audrey Y. Chang whose telephone number is 571-272-2309. The examiner can normally be reached on Monday-Friday (8:00-4:30), alternative Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2872

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Audrey Y. Chang*  
*Primary Examiner*  
*Art Unit 2872*



A. Chang, Ph.D.



Morgan & Finnegan, L.L.P. (Tel) 857-7887  
 1775 Eye St., N.W., Suite 400, Wash., DC 20006  
 For: DEVICE FOR ACQUIRING STEREOSCOPIC IMAGES  
 U.S. Ser. No. 10/070,564 to COSTES  
 Sheet 1 of 1 Replacement Sheet

*Accepted*  
 11-15-05  
*rc.*

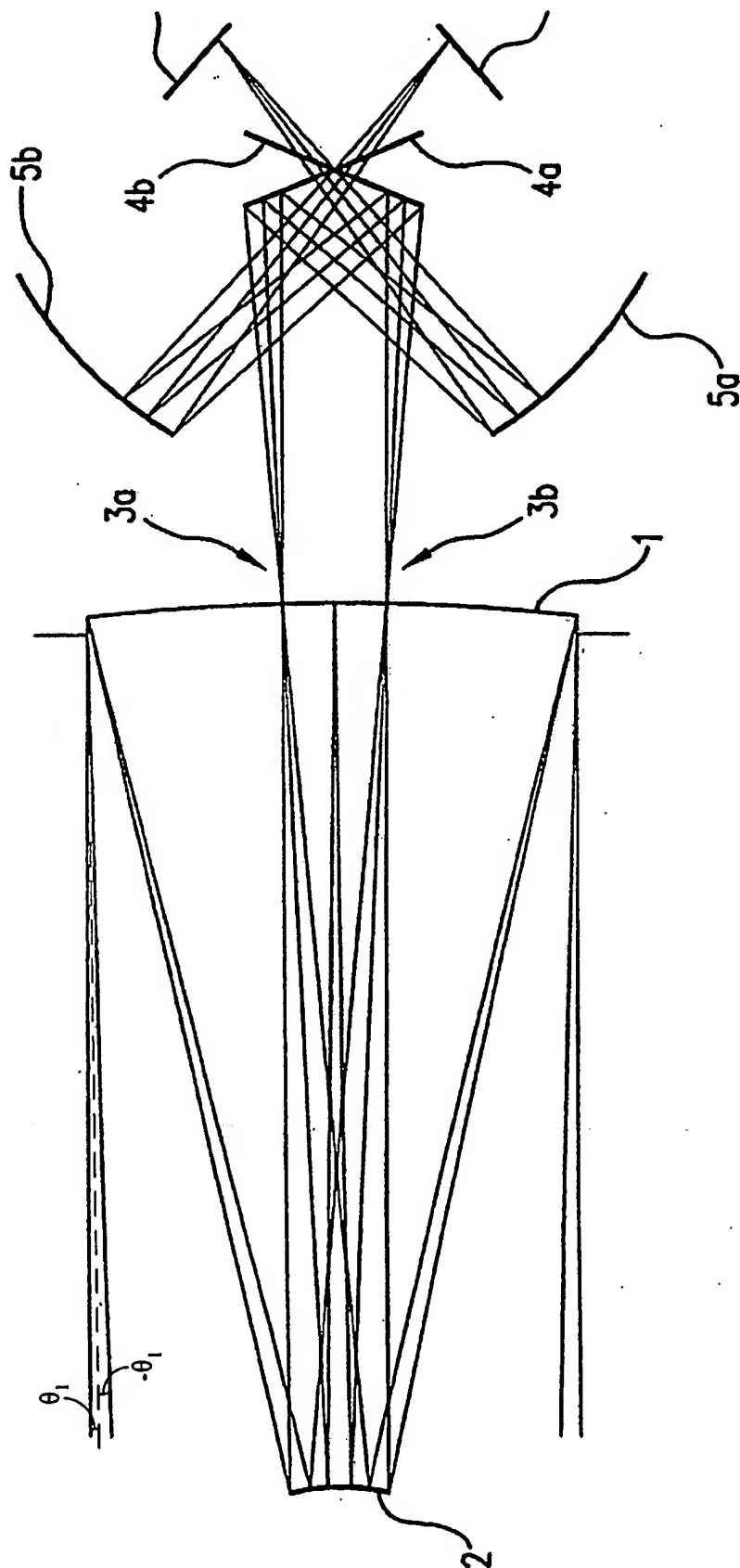


FIG. 1